



Bhowmik 12-146-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Siddharatha Bhowmik

Serial No.: 09/967,094

Filed: 09/28/2001

Group Art Unit: 2826

Examiner: Fazli Erdem

Title: A Barrier Layer For Interconnect
Structures Of A Semiconductor Wafer
And Method For Depositing The Barrier
Layer

Mail Stop Amendments - Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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AMENDMENT

In response to the office action dated as mailed 3/28/03, having a period of response through and including August 28, 2003 with a two-months extension of time, applicant appreciates the examiner's notification of the allowability of claims 6 and 13-16 subject to overcoming the rejection of the base claim upon which these claims depend. The claims 1, 7, 8 and 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over several references. The primary reference being identified as Chiang et al. (U.S. 2002/0132473A).

While the examiner has noted that the Chiang et al. reference does not teach all of the elements of applicant's claimed invention, the examiner points out that the combination of the other references teaching various aspects of the claimed invention would make the combination obvious. Applicant traverses this rejection and submits that the claimed invention would not be obvious over the cited references, and that each of claims 1, 7, 8 and 17-19 are patentably distinguishable over these references. Nevertheless, applicant believes that the

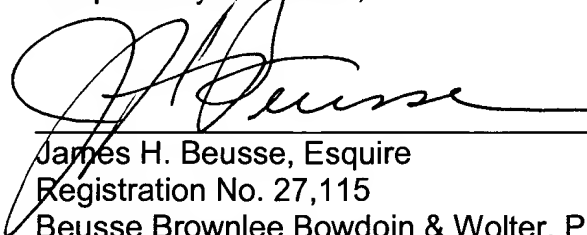
Chiang et al. publication is not a proper reference to be applied in this rejection since applicant's invention was made prior to the effective date of the Chiang et al. publication. More particularly, applicant's invention was initially disclosed in an invention disclosure dated June 6, 2001. The disclosure document was provided to the undersigned attorney on February 8, 2000 by the assignee with the request that this document along with approximately 35 other documents be written as patent applications.

An affidavit under 37 CFR §1.131 is attached hereto verifying the receipt and diligence in converting the disclosure document from a disclosure into a filed patent application. It is believed that this declaration is sufficient to establish conception and reduction to practice in a timely fashion so as to eliminate the use of the Chiang et al. patent as a reference against this application.

Applicant's attorney encloses herewith a copy of the original disclosure document dated June 6, 2000 along with a copy of a transmittal sheet forwarding the document to the undersigned attorney for preparation of the application. The declaration attached with these documents substantiates that the documents were received and that reasonable diligence was applied in a constructive reduction to practice of the invention by filing of a patent application on September 28, 2001.

For the reasons set forth above and in the attached declaration, it is submitted that the Chiang et al. is not a proper reference and all the claims of this application are in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Beusse', is written over a horizontal line.

James H. Beusse, Esquire

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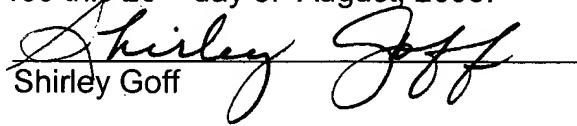
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Certificate of Mailing

I hereby certify that a true and correct copy of the above and foregoing Amendment was furnished by First Class Mail to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 20th day of August, 2003.


Shirley Goff